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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

STEVEN EUGENE WELLS,  
Petitioner,

Civ. No. 07-1117-TC

ORDER

v.

NANCY HOWTON,  
Respondent.

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Aiken, Chief Judge:

Magistrate Judge Coffin issued his Amended Findings and Recommendation in the above-captioned case on June 30, 2009. Magistrate Judge Coffin recommends that the petition for writ of habeas corpus be denied and the case dismissed. Magistrate Judge Coffin found that the majority of petitioner's claims were procedurally defaulted and that the state court's decisions as to petitioner's non-defaulted claims were not an unreasonable application of clearly established federal law and entitled to deference. The matter is now before me. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's Findings and Recommendation, the district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981). Petitioner timely filed objections to the Amended Findings and Recommendation. Upon de novo review, I find no error and adopt the analysis contained in Magistrate Judge Coffin's thorough opinion.

THEREFORE, IT IS HEREBY ORDERED that Magistrate Judge Coffin's Amended Findings and Recommendation (doc. 37) filed June 30, 2009, is ADOPTED in its entirety. The First Amended Petition for Writ of Habeas Corpus (doc. 18) is DENIED and this case is DISMISSED. IT IS SO ORDERED.

Dated this 15 day of September, 2009.



Ann Aiken  
Chief United States District Judge